

RULES AND ORDERS UNDER ACT VII OF 1904

ANCIENT MONUMENTS PRESERVATION

AUTHORISING ALL COLLECTORS AND DEPUTY COMMISSIONERS IN THE PRESIDENCY, INCLUDING SIND, TO PERFORM THE DUTIES OF A COMMISSIONER UNDER THE ACT

Notn. No. 1241, G. D., 4th Mar. 1909, B. G., 1909, Pt. I, p. 416.

In exercise of the powers conferred by clause (3) of section 2 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to authorise all Collectors and Deputy Commissioners in the Presidency, including Sind, to perform the duties of a Commissioner under the said Act in regard to all monuments situated in their districts except those imposed by sections 7 and 18 of the said Act.

DIRECTING THAT CERTAIN ANTIQUITIES SHALL NOT BE TAKEN OUT OF THE BIJAPUR DISTRICT WITHOUT THE SANCTION OF THE LOCAL GOVERNMENT

G. of I., Dept. of Education (Archæology and Epigraphy) Notn. No. 110, 28th May 1917, republished in Govt. Notn. No. 3861, G. D., 6th June 1917, B. G., 1917, Pt. I, p. 1396.

Whereas the Governor General in Council apprehends that antiquities are being sold or removed to the detriment of India from the Bijapur District in the Bombay Presidency:

The Governor General in Council, in exercise of the powers conferred by sub-section (1) of section 17 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), is pleased to direct that the following antiquities, namely:—

Sculptures, carvings, images, bas-reliefs, inscriptions and other antiquities of the Adil Shahi period, shall not be taken out of the said district without the sanction of the Local Government.

DIRECTING THAT NO SCULPTURE, CARVINGS, ETC., SHALL BE MOVED FROM CERTAIN ANCIENT MONUMENTS IN THE FOLLOWING DISTRICTS WITHOUT THE WRITTEN PERMISSION OF THE COLLECTOR:—

Nasik.

Notn. No. 2704-C, G. D., 26th May 1909, B. G., 1909, Pt. I, p. 899.

In exercise of the powers conferred by sub-section (1) of section 18 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to direct that no sculptures, carvings, images, bas-reliefs, inscriptions or other like objects shall be moved from any of the undermentioned temples or caves without the written permission of the Collector of Nasik.

Temples and Caves referred to above.

(1) Aeshwar's Temple situated in Survey No. 1281 of the village of Sinnar.

(2) The "Shri Mahadeo" Hemadpanti Temple at Zodga, taluka Malegaon.

(3) The Ankai Caves and the Hillocks comprised in Forest No. 240 of Ankai village.

(4) The Pandu Lena Caves and Hillock comprised in Forest No. 286 of the village of Pathardi.

Kolaba.

Notn. No. 6511-A., G. D., 7th Nov. 1911, B. G., 1911, Pt. I, p. 1994.

In exercise of the powers conferred by sub-section (I) of section 18 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to direct that no sculptures, carvings, images, bas-reliefs, inscriptions, or other like objects, shall be removed from any of the undermentioned caves without the written permission of the Collector of Kolaba :—

Caves referred to above.

(1) Caves situated in Survey No. 86 of the village of Kol.

(2) Caves situated in Survey No. 49 of the village of Kol.

Notn. No. 945-B., G. D., 12th Feb. 1912, B. G., 1912, Pt. I, p. 186.

In exercise of the powers conferred by sub-section (I) of section 18 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to direct that no sculptures, carvings, images, bas-reliefs, inscriptions or other like objects shall be removed from any of the undermentioned ancient monuments without the written permission of the Collector of Kolaba :—

Monuments referred to above.

(1) Tomb of Angre.

(2) St. Francis Xavier's Chapel.

(3) Kaman (Arch).

Notn. No. 5803, G. D., 20th Aug. 1917, B. G., 1917, Pt. I, p. 1987.

In exercise of the powers conferred by sub-section (I) of section 18 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to direct that no sculptures, carvings, images, bas-reliefs, inscriptions or other like objects shall be removed from the undermentioned ancient monuments without the written permission of the Collector of Kolaba :—

Monuments referred to above.

(1) 'Tatabandi' (walls of the fort at Agarkot) situated in Survey No. 15, Pôt Nos. 2 and 3 at Agarkot, taluka Alibag.

East Khandesh.

Notn. No. 6847, G. D., 2nd Oct. 1917, B. G., 1917, Pt. I, p. 2178.

In exercise of the powers conferred by sub-section (I) of section 18 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to direct that no sculptures, carvings, images,

bas-reliefs, inscriptions or other like objects shall be moved from any of the undermentioned protected monuments without the written permission of the Collector of East Khandesh :—

Temples, etc., referred to above.

- (1) Pandava's Wadé Masjid (Erandol).
- (2) Mahadev temple, Sangameshwar (Pachora).
- (3) Three inscription slabs in the temple of Krishna at Waghli (Chalisgaon).

RULES TO REGULATE EXCAVATION FOR THE PURPOSE OF PROTECTING
OR PRESERVING ANCIENT MONUMENTS IN THE FOLLOWING
DISTRICTS :—

Nasik.

Notn. No. 2704-B., G. D., 26th May 1909, B. G., 1909, Pt. I, p. 898.

In exercise of the powers conferred by section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to make the following rules, viz. :—

1. These rules are applicable to the areas in the Nasik District described below, namely :—

(1) *Aeshwar's Temple situated in Survey No. 1281 of the village of Sinnar*, and the area comprised in the said survey number bounded as follows :—

North.—Saraswati river, beyond that Survey Nos. 1250 and 1249.

West.—Survey No. 1251.

South.—Nasik-Sinnar Road, beyond that Survey Nos. 1277 and 1280.

East.—Survey No. 1282.

(2) *The "Shri Mahadeo" Hemadpanti Temple at Zodga, taluka Malegaon*, and the area which is included within the space of 200 feet on every side and from the corners of the said temple which is situated in Revision Survey No. 426 at Zodga.

(3) *The Ankai Caves and the Hillocks comprised in Forest No. 240 of Ankai village*, bounded as follows :—

North.—Survey Nos. 218, 223, 224, 225, 226, 232, 233, 239, and the boundary of the village of Wanjarwadi.

South.—Survey Nos. 8, 7, 6, 5, 4, 2, 1, village site and Survey Nos. 173, 174, 175, 179 and 180.

West.—Survey Nos. 215, 216 and 217.

East.—Hill of Survey No. 240 and the boundary of the village of Malegaon.

(4) *The Pandu Lena Caves and Hillock comprised in Forest No. 286 of the village of Pathardi*, and the space round about bounded as follows :—

North.—Survey Nos. 285, 287, 288, 230, 231, 235, 236, 237 and 238 of Pathardi.

East.—Survey Nos. 239 to 249.

South.—Survey Nos. 250 and 251.

West.—Survey Nos. 267 to 272 and 284.

(5) the Godeshwar Mahadeo Temple with the land and compound occupied by it in Survey No. 1 of the village of Sinnar and all land within 100 yards of the temple's outer wall.

2. No person shall within any of the said areas make any sort of excavation whatever, except under a license from the Collector of the district, which will generally not be granted except so far as such excavation may be deemed necessary for the repair or improvement or protection of the temple or caves in question.

3. Any person committing a breach of the above rule shall be punishable with fine which may extend to two hundred rupees.

Notn. No. 7411, G. D., 25th Sept. 1915, B. G., 1915, Pt. I, p. 2372.

In exercise of the powers conferred by sub-section (I) of section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to make the following rules for the purpose of protecting and preserving the Hindu temple at Deothan in the Yeola Taluka of the Nasik District, which has been declared to be an Ancient Monument under the said Act by Government Notification in the General Department, No. 8973, dated the 7th November 1914 :—

(1) These rules shall apply to the land (hereinafter called the 'Local area') comprising the premises of the Temple (measuring 134 feet on the North, 129 feet on the South, 137 feet on the West, and 116 feet on the East) and a strip of land 10 feet in width all round the premises of the Temple measured from the base of the outer walls and the steps of the temple. The boundaries of the Local area are as follows :—

On the North.—Open space in gaothan and beyond that public street.

On the South.—Open space in gaothan and beyond that public street.

On the East.—Public street leading from the flight of steps in front of the temple to the village-gate of Deothan village and open space in gaothan on both sides of the steps.

And on the West.—Open space in gaothan and beyond that public street.

(2) In the event of excavation being deemed necessary within the limits of the Local area, the Collector of Nasik may grant licenses for the same, subject to the following conditions :—

(a) no excavation shall be made within the Local area which might endanger any part of the Temple or any building connected with it ;

(b) no blasting operations shall be carried on within the Local area so as to endanger any part of the Temple or any building connected with it.

(3) Any person committing a breach of these rules shall be punishable with fine which may extend to two hundred rupees.

Kolaba.

*Notn. No. 6511-B., G. D., 7th Nov. 1911, B. G., 1911,
Pt. I, p. 1995.*

In exercise of the powers conferred by section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to make the following rules, *viz.* :—

1. These rules are applicable to the areas in the Kolaba District described below, namely :—

(1) Caves situated in Survey No. 86 of the village of Kol and the area comprised in the said survey number bounded as follows :—

East	}	Survey No. 86, Phalni No. 9.
West		
South		
North.		

(2) Caves situated in Survey No. 49 of the village of Kol and the area comprised in the said survey number bounded as follows :—

East.	}	Survey No. 49, Phalni Nos. 5 and 6.
West		
South		
North.		

2. No person shall within any of the said areas make any sort of excavation whatever, except under a license from the Collector of the district, which will generally not be granted except so far as such excavation may be deemed necessary for the repair or improvement or protection of the cave in question.

3. Any person committing a breach of the above rule shall be punishable with fine which may extend to two hundred rupees.

Notn. No. 945-A., G. D., 12th Feb. 1912, B. G., 1912, Pt. I, p. 185.

In exercise of the powers conferred by section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to make the following rules, *viz.* :—

1. These rules are applicable to the areas in the Kolaba District described below, namely :—

(1) "Tomb of Angre" situated in Survey No. 717, Pôt No. 2, of the village of Chaul, taluka Alibag, and the space of 10 yards round about it which is comprised in the said survey number and is bounded as follows :—

North.—Garden land of the same survey number, beyond that public road.

South.—Garden land of the same survey number.

East.—Garden land of the same survey number, beyond that Shri Rameshwar Temple.

West.—Garden land of the same survey number, beyond that Khari paddy land belonging to Anant Narayan Joshi.

(2) "St. Francis Xavier's Chapel," situated in Survey No. 4, Pôt No. 1, of the village of Agarkot, taluka Alibag, and the area

which is included within the space of 10 yards on every side and from the corners of the said chapel, which is situated in the said survey number and is bounded as follows :—

North.—Public road, beyond that Mahomed Saheb and Ramchandra Laxman Kadam's garden land.

South.—Garden land of Waman Anna Wasudev and beyond that creek.

East.—Garden land of Waman Anna Wasudev.

West.—Garden land of Waman Anna Wasudev and beyond that Vishnu Narayan Vaidya's garden land.

(3) "Kaman (Arch)," situated in Survey No. 601, Pôt No. 1, of the village of Chaul, taluka Alibag, and the space of 10 yards from both the ends of the Kaman where they rest on the ground, which is comprised in the said survey number and is bounded as follows :—

North.—Public road and beyond that Narhar Bhaskar Wasudev's garden land.

South.—Garden land of Balaji Ragho Katkar of the same survey number.

East.—Garden land of Balaji Ragho Katkar of Survey No. 600.

West.—Garden land of Balaji Ragho Katkar and beyond that Pandurang Laxman Katkar's wadi.

2. No person shall within any of the said areas make any sort of excavation whatever, except under a license from the Collector of the district, which will generally not be granted except so far as such excavation may be deemed necessary for the repair or improvement or protection of the ancient monuments in question.

3. Any person committing a breach of the above rule shall be punishable with fine which may extend to two hundred rupees.

Notn. No. 5804, G. D., 20th Aug. 1917, B. G., 1917, Pt. I, p. 1917.

In exercise of the powers conferred by section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), Governor in Council is pleased to make the following rules, viz. :—

1. These rules are applicable to the areas in the Kolaba District described below, viz. :—

(1) "Tatabandi" situated in Survey No. 15, Pôt Nos. 2 and 3 of the village of Agarkot, taluka Alibag, and the space of 10 yards round about it which is comprised in the said survey number and is bounded as follows :—

Pôt No. 2 eastern side.

North—Boundary of the village of Revdanda, beyond that Survey No. 122 unassessed Khajan land ; *East*—Public road ; *South*—Government waste land leading to Sat Khani Road, and land out of Survey Nos. 16 and 14 ; *West*—Land out of Survey No. 15, Pôt No. 1.

Middle part of Pôt No. 2.

North—Boundary of Revdanda village and beyond that Survey No. 122 Khajan land; *East*—Land belonging to Chitnis out of Pôt No. 2; *South*—Land belonging to Mukadam out of Pôt No. 1; *West*—Land out of Pôt No. 1.

Western side of Pôt No. 2.

North—Boundary of Revdanda village and beyond that Khajan land Survey No. 122; *East*—Land out of Survey No. 15, Pôt No. 1, belonging to Mukadam; *South*—Land out of Survey No. 14, Pôt No. 1, belonging to Vishnu Narayan Vaidya and Ganpat Narayan Mukadam; *West*—Boundary of the village Revdanda and beyond that Khajan Survey No. 122.

Pôt No. 3.

North—Boundary of the village Revdanda and beyond that Survey No. 122 Khajanland; *East*—Garden land of Vishnu Narayan Vaidya out of Survey No. 14, Pôt No. 1; *South*—Garden land of Ganpat Narayan Mukadam out of Survey No. 14, Pôt No. 1; *West*—Waste land, beyond that sea.

2. No person shall within any of the said areas make any sort of excavation whatever except under a license from the Collector of the district which will generally not be granted except so far as such excavation may be deemed necessary for the repair or improvement or protection of the ancient monuments in question.

3. Any person committing a breach of the above rule shall be punishable with fine which may extend to two hundred rupees.

Nawabshah and Sukkur.

Notn. No. 3515, G. D., 17th May 1916, B. G., 1916, Pt. I, p. 981, as amended by Notn. No. 5259, G. D., 2nd Aug. 1916.

WHEREAS the Governor in Council is of opinion that excavation within the limits of the local areas specified in Schedule I annexed to the following rules ought to be restricted or regulated for the purpose of protecting and preserving the ancient monuments in such areas;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to make the following rules:—

1. No person shall, within any of the areas specified in Schedule I annexed hereto, make any excavation except under a license granted to him in the manner hereinafter provided.

2. A license to excavate may be granted by the Collector with the approval of the Superintendent, Archaeological Survey, and the Collector may, in granting a license, impose such special conditions as he thinks fit.

3. Every application for a license shall be submitted in writing to the Collector, and shall be accompanied by a plan, on a scale of not less than sixteen inches to the mile, of the area within which it is proposed to excavate, on which shall be shown all ancient monuments and other buildings or structures situated in or near the area.

4. The license referred to in rule 1 shall be issued in the form contained in Schedule II annexed hereto, and the special conditions if any imposed by the Collector under rule 2 shall be entered in the license.

5. In the event of any breach by the licensee, his agent or servant of any of these rules, the Collector may put an end to the license.

6. Each license shall hold good for such time as the Collector may, with the approval of the Superintendent, Archaeological Survey, fix in this behalf.

Any person committing a breach of any of these rules shall be punishable with fine which may extend to two hundred rupees.

SCHEDULE I.

Serial No.	District.	Taluka.	Village.	Description or boundaries of the local area.
1	2	3	4	5
1	Nawábsháh ..	Sinjhero ..	Dalore ..	<i>North.</i>—A line running due west from the north-west corner of Jusraj graveyard to meet the road from Shahdadpur to Dalore. <i>East.</i>—Graveyard of Jusraj and village of Sahtas. <i>South.</i>—A line running due south-south-west from south-west corner of Sahtas village to meet the Shahdadpur-Dalore road. <i>West.</i>—Road from Shahdadpur to Dalore.
2	Sukkur ..	Ubauro ..	Alore ..	The fort, mosque and the old town and 40 feet surrounding each of the above-mentioned sites.
3			Vijnot ..	Entire old village site of Vijnot, now comprising unassessed No. 106, measuring 122 acres 15 gunthas of deh Vijnot.

SCHEDULE II.

Form of License to excavate.

License is hereby granted to _____ of _____ (hereinafter called the licensee) authorizing him under and subject to the provisions of section 20 of the Ancient Monuments Preservation Act, 1904

(VII of 1904), and of the rules made thereunder, to make excavations within the area specified below, namely :—

The plot of land measuring in superficial area square feet and bounded as follows, namely :—

On the North by

On the South by

On the East by

And on the West by

2. This license shall hold good for a period of commencing from the day of and ending on the day of

3. No excavation shall be made otherwise than in accordance with the rules published in Government Notification in the General Department No. , dated the 191 , which are printed on the reverse, and the special conditions noted below.

Granted this day of 191 .

Collector of

Special Conditions.

East Khandesh.

Notn. No. 6848, G. D., 2nd Oct. 1917, B. G., 1917, Pt. I, p. 2178.

In exercise of the powers conferred by section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to make the following rules, viz. :—

These rules are applicable to the areas in the East Khandesh District described below, namely :—

Erandol.—(1) The piece of land containing the Pandavas Wada Masjid, situate in Erandol town by the side of the road running from Kasar Darwaja to Brahman Otta, bearing municipal No. 1290, and bounded as follows :—

North.—Road leading to the Mahomedan Mohalla.

West.—Road going to the Sali Mohalla from North to South.

South.—Road going to the Koshti Mohalla.

East.—Road from Brahman Otta to Kasar Darwaja.

Pachora.—(2) The piece of land containing the Mahadev temple, Sangameshwar, situated in Survey No. 38 assigned for gao-varidal, and bounded as follows :—

East.—Maruti's temple.

West.—Survey No. 38.

North.—Portion of the fallen temple and road to Nagardevla.

South.—Portion of the fallen temple and Survey No. 38.

Chalisgaon.—(3) The piece of land containing three inscription slabs in the temple of Krishna at Waghli, and bounded as follows :—

East.—Open space.

West.—Mahadev temple.

North.—Open space with a well in it.

South.—Road.

2. No person shall within the said areas make any sort of excavation whatever, except under a license from the Collector of the district, which will generally not be granted except so far as such excavation may be deemed necessary for the repair or improvement or protection of the said Wada, temples and slabs.

3. Any person committing a breach of the above rule shall be punishable with fine which may extend to two hundred rupees.

Bijapur.

Notn. No. 1167, G. D., 12th Feb. 1919, B. G., 1919, Pt. I, p. 464.

Whereas the Governor in Council is of opinion that excavation within the limits of the local areas specified in the following rules ought to be restricted and regulated for the purpose of protecting and preserving the ancient monuments in the district of Bijapur: in exercise of the powers conferred by sub-section (1) of section 20 of the Ancient Monuments Preservation Act, 1904 (VII of 1904), the Governor in Council is pleased to make the following rules:—

1. Excavation within a distance of half a mile from any ancient monuments in the district of Bijapur (other than the gates and walls of the city and citadel of Bijapur), which has been declared to be a protected monument under the Ancient Monuments Preservation Act, 1904, is subject to the restrictions and regulations provided in these rules.

2. (1) Except under the authority of a license granted by the District Magistrate, no person shall:—

(a) within a distance of half a mile from any such monument, make any excavation by blasting;

(b) within a distance of six hundred feet from any such monument, make any excavation by any means whatever to a depth exceeding six feet.

(2) Any person committing a breach of this rule shall be punishable with fine which may extend to two hundred rupees.

(3) The District Magistrate may in his discretion insert any of the following conditions in any license granted under these rules:—

(a) within a distance of six hundred feet from any monument excavation to a depth exceeding six feet shall not be proceeded with if the District Magistrate considers that such excavation is likely to endanger the foundations of the monument;

(b) within a distance of one thousand feet from any monument no excavation shall be made by blasting;

(c) within a distance of half a mile, but at a greater distance than one thousand feet, from any monument the District Magistrate may require that excavation by blasting shall be carried out subject to such restrictions respecting the muffling of sound, the kind and charge of blasting materials and the depth and number of blast holes to be fired at a time, as he may think fit;

(d) the licensee shall give twenty-four hours' notice to the Executive Engineer in whose official charge the monument is

situate, before blasting operations are commenced and, where such operations have been suspended for a period exceeding twelve hours, before they are resumed.

4. (1) Any person to whom a license has been granted under these rules shall be bound to observe the conditions of such license and shall, on breach of any of the conditions specified in rule 3, where such condition has been inserted in his license, be punishable with fine which may extend to two hundred rupees.

(2) The District Magistrate may cancel any license for breach of any of the conditions thereof.

5. In granting licenses and imposing restrictions under these rules the District Magistrate shall, so far as is practicable, act in consultation with the executive engineer in whose official charge the monument, with respect to which the license is to be granted or the restrictions are to be imposed, is situate.

RULES AND ORDERS UNDER ACT VIII OF 1904

UNIVERSITIES

FIXING THE DATE ON WHICH THE ACT TO COME INTO FORCE IN THE
BOMBAY PRESIDENCY

Notn. No. 1220, E. D., 2nd July 1904, B. G., 1904, Pt. I, p. 906.

In exercise of the powers conferred by section 1, sub-section (2), of the Indian Universities Act, 1904 (VIII of 1904), the Governor in Council is pleased to fix the eighteenth day of July 1904 as the date on which the said Act shall come into force in the Bombay Presidency.

AFFILIATION OF THE SHIKSHANA PRASARAK MANDALI'S NEW
COLLEGE AT POONA TO THE BOMBAY UNIVERSITY

Notn. No. 2258, E. D., 30th Apr. 1921, B. G., 1921, Pt. I, p. 1119.

Under section 21 of the Indian Universities Act, VIII of 1904, His Excellency the Governor with the concurrence of his Ministers is pleased to sanction the permanent affiliation of the Shikshana Prasarak Mandali's New College at Poona to the Bombay University subject to the same conditions and limitations as those under which it was provisionally affiliated (*vide* Government Notification No. 1313, dated the 21st May 1918).

LIST OF COLLEGES AND INSTITUTIONS AUTHORIZED TO GRANT TO CANDI-
DATES FOR DEGREES OF THE BOMBAY UNIVERSITY THE CERTIFICATES
OF QUALIFICATION REQUIRED BY THE SECTION, TO THE EXTENT
MENTIONED IN THE LIST

*Notn. No. 618, E. D., 28th May 1898, B. G., 1898, Pt. I, p. 467,
as amended by Notn. No. 652, E. D., 7th June 1898.*

It is hereby notified that the Colleges and Institutions specified in the list hereunder written have been authorized by the Governor of Bombay in Council, under section 12 of Act XXII of 1857, to grant to candidates